

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**IN RE: TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

**Civil Action No.
03 MDL 1570 (GBD) (FM)**

*This document applies to
Hoglan, et al. v. The Islamic Republic
of Iran, et al.
1:11-cv-07550-GBD*

SECOND DECLARATION OF ANGELA MISTRULLI

I, Angela Mistrulli, declare under penalty of perjury, pursuant to 28 U.S.C §1746, that the following is true and correct to the best of my knowledge, information and belief.

1. I am a resident of the State of South Carolina, and a citizen of the United States of America. I am over the age of eighteen.
2. The information contained in this Declaration is true and is based upon my personal knowledge. This is my second Declaration in this case.
3. I am the daughter of Joseph D. Mistrulli, the granddaughter of James Mandelino, Sr., as well as the niece of James Mandelino, Jennie Mandelino , Maryann Pino, Tony Pino and the late Michael Mandelino. My father was one of the thousands of victims who was murdered as a result of the terrorist attacks on September 11, 2001.
4. I make this declaration in order to shed light on the dynamics of our family, supporting the claims made by my maternal Aunts and Uncles, to demonstrate that their relationships with my father Joseph D. Mistrulli were the functional equivalents of a sibling relationship, *i.e.*, that they were indeed regarded as brothers and sisters; as immediate family, to my late father.

5. My father was an amazing man, he was compassionate, patient, hardworking, understanding and, most of all, loving. I truly feel that he was this type of person due to the influences of the family he surrounded himself with. There is a saying “you can choose your friends but you can't choose your family,” but, for my father, that was not the case. In 1977, he did choose his family that he would spend the rest of his life with, “the Mandelino's.”
6. Looking back through this endeavor I have had to relieve many joyous and also painful memories from throughout my life. I scoured through thousands of photographs looking back through the years of a life that was cut short. One thing that was evident was that my father's life was full. Full of love, laughter, friendship, and family. Not the family he was born into, but the family he chose.
7. I can remember from the time I was a young child being brought up by a group who loved with no limits. We lived in the basement of my family home on 1513 Pea Pond Road from the time that I was born until my pre-teens in the early 1990's. Also residing in that same home for all of those years was, James and Mary Mandelino, James Mandelino, Jennie Mandelino, MaryAnn Pino and Michael Mandelino. I had a relationship with my maternal grandparents and aunts and uncles that was closer than anyone could possibly imagine.
8. We lived together for many years, sharing so many great memories, whether it was running through the sprinkler in the backyard, snapping the green beans for family dinners, or putting on a talent show for all to see and going to Midnight Mass. Those were just the average days, then there were the family vacations to Disney, Atlantic City, Wildwood, Hershey Park, Busch Gardens and Old Williamsburg, VA, and those are just a few.

9. My maternal family participated in every event of my life, as well as the lives of my siblings and parents. They stood up for my parents on their wedding day, were Godparents for their children, were the sponsors for their children's Holy Confirmation, applauded at every dance recital and play. The Uncles and Aunts took turns with my father making every birthday and holiday special. They would hold pinatas out the window of the house for my birthday, or each dress up as Santa Clause to keep the children believing in Magic. The roles of the family intertwined and interconnected. I was truly blessed to live in such an amazing household.
10. I grew up surrounded by such joy. I can remember the smile on the face of my quiet, reserved, father as he would talk “shop” with my Uncle Jimmy, Uncle Mike, or Aunt Jennie, and how much he enjoyed sharing recipes with my grandmother and Aunt Maryann and how he and my Uncle Tony would sit with a cup of coffee and a smoke and make jokes about the wives. We truly embodied the meaning of a family. We had our ups and downs, but at the end of the day, we sat around the same dinner table and laughed about our days.
11. I know for sure my father was loved immensely by my maternal aunts and uncles and grandparents and the feelings were reciprocated. He was so happy when he was with them, and outsider would never be able to tell the difference that they were all not blood related.
12. I know with certainty my maternal family was at every event essential and nonessential in my life and lives of my parents due to the absence of my father’s own biological family. I feel that it is important for the Court to understand that my father's family did not play a real role in his life or the lives of his children. I can only recall them at one of my birthdays. Some of his biological relatives are still alive, but most of them are deceased.

He lost his brother and sister in the 1980's and his father in the early 1990's. He still has some living relatives, but they were absent through all of my memories and from the thousands of family photos.

13. But there was nothing missing from my father's life. He had two sisters: Jennie Mandelino and Maryann Pino; 3 brothers: James Mandelino, Tony Pino, and Michael Mandelino; and a loving set of parents: James and Mary Mandelino. Although these people were not his blood, they were most definitely his real family – functionally and in reality. They filled a void that was in my father's life for over 24 years due to the absence or death of his own family members. Throughout this entire time, my father relied heavily on the relationships he forged with the Mandelino's and Pino's. The photos attached to this Declaration are photos from our family albums, as well as from the days after 9/11.
14. My mother was ill for parts of my life where she was in the hospital for days, weeks, almost months. I can recall how lost my father was during these episodes. He didn't even know how to write a check, but my Aunt Maryann and my grandmother would be there for him often with advice or to help step in during my mother's hospitalizations. I would often hear my father talking to my Aunt or grandmother, and it was so comforting to know that he had them to rely on, and that they were there for him, just like any blood relative would have been, to help him, and to help him with his children. My Aunt Maryann would spend a lot of time helping taking me to get my haircut, clothing shopping for school, and just helping me be a kid. My Aunt Jennie would often take care of me on the weekends so my father could visit my mother or pick up some extra work. I can remember times when my father was out of work and so he would go work for my Uncle Jimmy to provide for his family. You see, that's what mattered to the family –

making sure everyone was taken care of. My maternal family made sure they covered all the bases: they gave us support financially as well as an endless supply of love and emotional support. When my father was troubled or dealing with life's highs and lows, he would reach out to my maternal family for support, and they always came through.

15. I was 17 when my father was taken from me on 9/11. I was lost and confused and my maternal family reached out to me unwaveringly to help me get through his loss. Even when I pushed people away, they never gave up on me. I can recall during the aftermath of 9/11 how overwhelmingly involved my maternal family was, but also how non-involved my paternal family was. The missing posters all had the maternal families' contact and my maternal family made sure to plaster them everywhere, even to their own bodies to be walking signs of hope. Being a sibling, I can say if anything was to ever happen to my brother or sister, I would fight like hell to find them and never give up hope, just like the Mandelinos did when my father was missing. They were present for every memorial, funeral, church service, street dedication, and simply just whenever we needed a shoulder to cry on. They carried his coffin and stood graveside to lay him to rest, they were with him up until the end. My maternal family loved my father as if he was one of them, and the role they played in his life, and continue to play in the lives of his children and grandchildren is evidence of that.
16. After the passing of my father, my maternal family would step in to play the missing roles in my life. My Uncle Jimmy would play a father figure to me, providing me guidance and the emotional support a young girl needs. My Uncle Michael was so close in age to me and my siblings, he was around just like how an older brother should be. He was there to watch over me in my father's absence. My Aunts would be mother hens

over us. My grandfather would walk me down the aisle on my wedding day and dance the first dance with me to "Dance With My Father Again."

17. I would soon become a mother of 2 special needs children, and the constant role and involvement of my maternal family has made life a little easier to handle. My first child was born with many physical and emotional disabilities and illnesses. My Uncle Jimmy would step in just how my father would have, and he moved heaven and earth to make sure my son was transported to Duke University where he would receive a life-saving transfusion that would allow him to walk, talk, and eat without the assistance of a feeding tube. He is always there for me just like my father would have been, giving me advice and caring about me as if I was a daughter. My Aunt Jennie had to step in to handle my mother's finances due to her illness. She would ensure that the house my father built with his own two hands and with my Uncle Jimmy, Aunt Jennie and Uncle Michael would be around for generations to come. My two Aunts would become my sounding board for the rest of my life, for me to cry to when I am feeling down, or rejoice with when I get good news or just simply to reminisce about the past and to get more memories of my father. My Aunt Maryann has been a surrogate mother for me, and on several occasions, has helped me pay my mortgage when I have fallen on rough times. Her and my Uncle Tony would shield me as a child from my mother's illness and feeling those effects and try to help me as an adult navigate them.
18. All this has played a vital role in my life. Both as a child and as an adult, my maternal family has always been there for me making sure I have everything I needed emotionally and financially. They would help with Catholic school tuition, school trips, school projects, my birthdays, but, most of all, they were the constant in my life. When my mom was gone they were there, then when my dad died, they were there. From the first

time I opened my eyes on this earth until this day, they have always been there. I will forever be grateful to them because they made sure those who needed to be taken care of, were taken care of. My parents were dependent on them regularly throughout my life, we were a single income household of 5, who resided with this family for a long time, and then lived within short walking distance of everyone. The support wasn't just financially; the emotional support was just as important.

19. Losing a parent is never an easy thing. Top that off with having a mentally ill mother and the circumstances surrounding my father's death – it is a recipe for a disaster. Without the constant love, support, guidance, and generosity of my Aunts and Uncles, I do not know if I could continue to endure the struggles of the aftermath of 9/11. My Aunts and Uncles are like have several sets of the best parents in the world. They show me how to be a strong women for my children, how to be a kind human being, how to forgive people but most of all how to love even when your heart is broken. They have always and will always be there for myself and my children. They continue my father's legacy on through stories and memories of him. They knew him inside and out because he was their brother and their son. The whole history of their actions, especially in comparison to actions of my father's biological family, no doubt speaks volumes of truth that they were the functional equivalent of my father's immediate family.
20. Simply sharing DNA with someone does not tell the whole story. The maternal relatives I have known all my life and have described in this Declaration were in fact – in every way I can think of – the functional equivalent of my father's brothers and sisters. I can say without a shadow of a doubt that James Madelino, Jennie Mandelino, James Mandelino, Sr., Michael Mandelino, Maryann Pino, and Tony Pino all suffered a loss, all feel the pain and suffering, that is equal to, if not greater, than the loss felt by my father's

biological family. And I also attest that they experienced, and continue to experience, the pain of witnessing the man who considered himself to be their brother die on 9/11 without the limitation of a blood bond. They lost their brother and son, and no one can say otherwise. I am asking the Court to please reconsider its determination and look at the uniqueness of our family. I am sure you will see with ease, through this Declaration and those of the other members of my maternal family, that this family was indeed the functional equivalent of my father's immediate family – brothers, sisters, and parents. If indeed “functional equivalent” means what the words say, if it is family functioning relationships and experiences and bonds that count, and if the Court is looking for actual equivalence to blood family, I am attesting, here and now, based on everything I have ever known or experienced in my lifetime, that the whole truth is that the conduct of these people's lives was, and is, exactly the same as immediate family to my beloved father, both in life and in death. And, if he could, Joseph D. Mistrulli would attest to exactly the same.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing declaration is true and correct to the best of my knowledge, information and belief.

EXECUTED this 5th day of May, 2017.


Angela Mistrulli